

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

CRMP No. 564 of 2019

State of Chhattisgarh, Through the Incharge Police Station Baradwar,
District- Janjgir- Champa (CG)

---- Petitioner

Versus

Udit Narayan S/o. Dhanau Das, aged about 42 years, R/o. village
Darrabhata, Police Station Baradwar, District janjgir- Champa (CG)

---- Respondent

For Petitioner/State : Shri Suryakant Mishra, PL.

DB : Hon'ble Shri Justice Manindra Mohan Shrivastava

Hon'ble Smt. Justice Rajani Dubey

Order On Board by Hon'ble Shri Justice Manindra Mohan
Shrivastava

28/03/2019

1. Heard on application for condonation of delay in filing appeal.
2. Upon due consideration, the application is allowed.
3. Delay is condoned.
4. Also, heard on application for grant of leave to appeal.
5. After hearing learned counsel for the State, we find that the respondent/accused has been acquitted by learned Trial court on the finding that the prosecution has failed to prove its case beyond reasonable doubt. We have also gone through the evidence on record and finding that the witnesses have not involved the present respondent/accused in the case and, therefore, the learned Trial Court was left with no option but to

acquit the respondent by giving benefit of doubt. Therefore, the finding of the learned Trial Court does not suffer from any patent illegality, perversity so as to warrant interference by this Court, keeping in view the limited scope of interference against the judgment of acquittal. We, accordingly, do not consider present to be a fit case to grant leave to appeal.

6. Accordingly, CRMP is dismissed at the admission stage itself.

Sd/-

(Manindra Mohan Shrivastava)

Judge

Sd/-

(Rajani Dubey)

Judge